

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA §
§
§
V. § CASE NO. 4:09cr23
§ (Judge Schneider)
TONY BLANCARTE, JR. (5) §

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On March 26, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Withdraw Plea of Guilty should be denied.

The Court, having made a *de novo* review of the objections raised by Defendant, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is accordingly

ORDERED that Defendant's Motion to Withdraw Plea of Guilty (Dkt. #343) is **DENIED**.

IT IS SO ORDERED.

SIGNED this 14th day of April, 2010.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE